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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,332	08/28/2000	Sylvain Chevreau	RCA90215	4067
24498	7590	02/17/2005	EXAMINER	
THOMSON LICENSING INC. PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			KIM, CHONG R	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/581,332

Applicant(s)

CHEVREAU ET AL.

Examiner

Charles Kim

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment and Arguments***

1. Applicant's amendment filed on November 1, 2004 has been entered and made of record.
2. In view of applicant's amendment, the claim objection is withdrawn.
3. Applicant's arguments, see pages 5-10, filed November 1, 2004, with respect to the rejection(s) of claim(s) 9-16 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Friedman and Caputo.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Friedman U.S. Patent No. 5,499,294 ("Friedman") and Caputo et al., U.S. Patent No. 5,778,071 ("Caputo").

Referring to claim 9, Friedman discloses a device for authenticating the taking of pictures made up of digital data comprising a picture taking apparatus (11) associated with a security element (12), the security element comprising a circuit associated with a secret key K specific to

Art Unit: 2623

the security element and carrying out the signing of at least part of the digital data to give an encrypted output digital data (col. 5, lines 49-65).

Friedman does not explicitly disclose that the security element comprises detachable security elements, each detachable security element being specific to a user. However, this feature was exceedingly well known in the art. For example, Caputo discloses detachable security elements (smart cards) comprising a circuit associated with a secret key specific for that security element for signing digital data to give an encrypted output digital data; the detachable security elements being specific to a user (col. 6, line 67-col. 7, line 20 and col. 14, lines 23-57). Caputo also discloses a detachable security element interface (smart card receptacle) that allows bi-directional transfer of data (col. 10, lines 18-31).

Friedman & Caputo are combinable because they are both concerned with authentication systems that utilize secret keys for encrypting digital data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the security element of Friedman, so that it comprises the detachable security elements of Caputo. The suggestion/motivation for doing so would have been to enhance the security of the authentication system by taking advantage of the smart card's secure processing environment (Caputo, col. 3, lines 44-50). Therefore, it would have been obvious to combine Friedman with Caputo to obtain the invention as specified in claim 9. Note that the combination of Friedman and Caputo disclose a device for authenticating a user who takes pictures on the picture taking device, since the secret key is associated with the user (Caputo, col. 14, lines 23-57).

Referring to claim 10, Friedman further discloses that the security element incorporates a hashing circuit (12A) [col. 5, lines 56-65 and figure 3B]. As noted above, Caputo discloses a

Art Unit: 2623

detachable security element. Therefore, the combination of Friedman and Caputo disclose a detachable security element that incorporates a hashing circuit.

Referring to claim 11, Caputo further discloses that the detachable element is a chip card (col. 6, line 67-col. 7, line 20).

Referring to claim 12, Friedman further discloses that the picture taking apparatus comprises a multiplexing circuit (12C) and a circuit (12A) for hashing at least one first fraction of the digital data in such a way as to generate a first hashed datum, the circuit associated with the secret key K1 carrying out the processing of the first hashed datum in such a way as to generate a signature of the first hashed datum (col. 4, lines 33-37 and col. 5, lines 56-63. Note that the block of the image file is interpreted as a first fraction of the digital data), the signature and the digital data being transmitted to the multiplexing circuit so as to constitute a multiplexed signal (col. 8, lines 53-67).

Referring to claim 13, see the rejection of at least claims 11 and 12 above. Friedman further discloses that the picture taking apparatus comprises a multiplexing circuit (12C), a security element (12) comprising a hashing circuit (12A) carrying out the hashing of at least a first fraction of the digital data originating from the picture taking apparatus in such a way as to generate a first hashed datum, and the first hashed datum is processed in the circuit associated with the secret key K1 in such a way as to generate a signature of the first hashed datum (col. 4, lines 33-37 and col. 5, lines 56-63. Note that the block of the image file is interpreted as a first fraction of the digital data), the signature emanating from the security element and the digital data being transmitted to the multiplexing circuit in such a way as to constitute a multiplexed signal (col. 8, lines 53-67).

Art Unit: 2623

Friedman fails to explicitly disclose that the security element is a chip card. However, Caputo discloses a detachable security element that is a chip card, as noted above (claim 11). Therefore, the combination of Friedman and Caputo disclose a detachable element that is a chip card.

Referring to claim 14, Friedman further discloses that the picture taking apparatus (11) is a camera head (col. 5, lines 52-54 and figure 3A).

Referring to claim 15, Friedman further discloses that the picture taking apparatus (11) is a photographic apparatus (col. 5, lines 52-54 and figure 3A).

Referring to claim 16, see the rejection of at least claim 1 above. Friedman further discloses a device (20) for authenticating digital data coming from the device for authenticating the taking of pictures, the device for authenticating the digital data comprising a circuit (22) with public key K2 for calculating a new datum on the basis of the signature, a circuit (21) for hashing at least one second fraction of the digital data in such a way as to generate a second hashed datum, a comparison circuit (23) for comparing the new datum with the second hashed datum in such a way as to constitute a signal making it possible to verify the authenticity of the digital data (col. 6, lines 31-52 and figure 3C).

Friedman fails to explicitly disclose a demultiplexer for separating the digital data and the signature. However, Friedman discloses a multiplexing circuit for multiplexing the digital data and the signature at the device for authenticating the taking of pictures (col. 8, lines 53-67). Note that the digital data entering the device (20) will be a multiplexed signal. Friedman also explains that the digital data and the signature are separated prior to being processed by the device (20) [figure 3C. Note that the digital data and the signature are processed separately]. Therefore, the

Art Unit: 2623

Examiner notes that a demultiplexer is an inherent feature in the device (20) of Friedman, since a multiplexed signal can only be separated if has been demultiplexed by a demultiplexer.

### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kim whose telephone number is 703-306-4038. The examiner can normally be reached on Mon thru Thurs 8:30am to 6pm and alternating Fri 9:30am to 6pm.

Art Unit: 2623


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703-308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ck

February 9, 2005

  
Jon Chang  
Primary Examiner